

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
NETEXIT, INC., <i>et al.</i> ,)	Case No. 04-11321 (JLP)
)	
Debtors.)	Re D.I. 480
)	
In re:)	Chapter 11
)	
NORTHWESTERN CORPORATION,)	Case No. 03-12872 (JLP)
)	
Debtor.)	Re D.I. 3019

NOTICE OF APPEAL

The Official Committee of Unsecured Creditors (the “Netexit Committee”) appointed in the chapter 11 cases of Netexit, Inc., *et al.* (collectively, the “Netexit Debtors”)¹, by and through its undersigned counsel, hereby appeals under 28 U.S.C. § 158(a) to the United States District Court for the District of Delaware from the United States Bankruptcy Court for the District of Delaware’s Order dated April 26, 2005 denying the Netexit Committee’s Motion For Reimbursement Of Amounts Paid By The Netexit Debtors On Behalf Of Northwestern Corporation, which was entered by United States Bankruptcy Judge John L. Peterson on April 28, 2005 [D.I. 480 in Case No. 04-11321 and D.I. 3019 in Case No. 03-12872]. A copy of the Order appealed from is attached hereto as Exhibit A.

¹ The Debtors are ATS Financial Services, Inc., Netexit of California Construction, Inc., Netexit of California, Inc., Netexit of Indiana, LLC, Netexit of Indiana, Inc., Netexit of North America, LLC, Netexit of Tennessee, Inc., Netexit of Pacific Northwest, Inc., Netexit of Oklahoma, Inc., Netexit of New York, LLC, Netexit of Mississippi, Inc., Netexit of Hawaii, Inc., and Eagle a Netexit Company Inc.

The names of all parties to the Order appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

PARTIES

1. The Official Committee of
Unsecured Creditors

COUNSEL

CROSS & SIMON, LLC
Christopher P. Simon
Donna L. Harris
913 N. Market Street, 11th Floor
P.O. Box 1380
Wilmington, Delaware 19899-1380
(302) 777-4200

2. Netexit, Inc., *et al.*

PAUL, HASTINGS, JANOFSKY,
& WALKER LLP
Jesse H. Austin, III
Karol K. Denniston
600 Peachtree Street
Suite 2400
Atlanta, GA 30308
(404) 815-2400

-and-

GREENBERG TRAURIG, LLP
Scott D. Cousins
William E. Chipman, Jr.
1000 West Street, Suite 1540
Wilmington, DE 19801
(302) 661-7000

3. NorthWestern Corporation

PEPPER HAMILTON, LLP
David B. Stratton
1313 Market Street, Suite 5100
Wilmington, DE 19801
(302) 777-6566

[Signatures appear on following page.]

Dated: May 6, 2005
Wilmington, Delaware

CROSS & SIMON, LLC

/s/ Donna L. Harris

Christopher P. Simon (No. 3697)
Donna L. Harris (No. 3740)
913 N. Market Street, 11th Floor
P.O. Box 1380
Wilmington, Delaware 19899-1380
(302) 777-4200

Counsel for the Netexit Committee